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5 **UNITED STATES DISTRICT COURT**  
6 **FOR THE DISTRICT OF NEVADA**

7 )  
8 UNITED STATES OF AMERICA, ) CASE NO.: 2:20-cr-00003-APG-EJY  
9 Plaintiff, )  
10 vs. ) **STIPULATION AND ORDER TO**  
11 JORGE SOTO, ) **CONTINUE EVIDENTIARY HEARING**  
12 Defendant. )  
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13 IT IS HEREBY STIPULATED AND AGREED by JORGE SOTO., by and through  
14 his attorney, CHRISTOPHER R. ORAM, ESQ., and the United States of America, by and  
15 through MS. MELANEE SMITH, Assistant United States Attorney, that the Evidentiary  
16 Hearing, presently set for January 12, 2023, be continued to a date and time convenient to this  
17 Honorable Court, but no sooner than April 12, 2023.

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1 The request for a continuance is based upon the following:

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3 1. Mr. Soto has not yet been evaluated by the Government's Psychological

4 Expert Witness, nor is a report from the Government's expert expected in

5 time.

6 2. Additionally, both parties believe that Mr. Soto is currently in custody in

7 Arizona, pending charges unrelated to this matter, and cannot be present at

8 the Evidentiary Hearing.

9 3. This stipulation does not affect the expected trial date as previously assigned

10 to this case.

11 4. The Government has no objection to the continuance.

12 5. Mr. Soto does not object to the continuance.

13 6. The additional time requested herein is not sought for purposes of delay.

14 7. Additionally, denial of this request for continuance could result in a

15 miscarriage of justice.

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17 WHEREFORE, for all the foregoing reasons, the parties request that the Court enter

18 their Stipulation as an Order of the Court.

19 DATED: January 10th, 2023.

20 Respectfully submitted,

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22 /s/ Melanee Smith  
23 Melanee Smith, Esq.  
24 Assistant United States Attorney  
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*Attorney for the United States of America*

22 /s/ Christopher R. Oram  
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*Attorney for Jorge Soto*

**UNITED STATES DISTRICT COURT**

## FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) CASE NO.: 2:20-cr-00003-APG-EJY  
Plaintiff, )  
vs. ) ORDER  
JORGE SOTO, )  
Defendant. )

This matter coming on the parties' Stipulation to Continue Evidentiary Hearing, the premises therein having been considered by the Court, and good cause showing, the Court accepts the Stipulation of the parties and Orders as follows:

Any Evidentiary Hearing shall be held on or before April 13, 2023 at 9:30 a.m. in Courtroom 3B.

IT IS ORDERED.

Entered this 11th day of January 2023.

Elayna J. Youschah  
ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE